

"Express Mail" mailing label number EV 715 031 578 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
NAII124342		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/524,340		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/JP03/10399	August 18, 2003	August 16, 2002
TITLE OF INVENTION		
ELECTRODE FOR FUEL CELL, FUEL CELL INCLUDING THE ELECTRODE AND PROCESS FOR PRODUCING THE SAME		
APPLICANT(S) FOR DO/EO/US		
Takeo Yamaguchi and Hirotaka Mizuhata		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ____ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- X 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ____ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ____ 4. The US has been elected (Article 31).
- ____ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - ____ a. is attached hereto (required only if not communicated by the International Bureau).
 - ____ b. has been communicated by the International Bureau.
 - ____ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- X 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

- _____ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- _____ a. are attached hereto (required only if not communicated by the International Bureau).
- _____ b. have been communicated by the International Bureau.
- _____ c. have not been made; however, the time limit for making such amendments has NOT expired.
- _____ d. have not been made and will not be made.
- _____ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- _____ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- _____ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- _____ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- X 13. A preliminary amendment.
- _____ 14. An Application Data Sheet under 37 C.F.R. 1.76..
- _____ 15. A substitute specification.
- _____ 16. A power of attorney and/or change of address letter.
- _____ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 C.F.R. 1.821 – 1.825.
- _____ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- _____ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X 20. Other items or information: A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office

Rec'd PCT/PTO 14 OCT 2005

10/524340

The following fees are submitted:.				CALCULATIONS	
21. <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$	
22. <input type="checkbox"/> b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0.00 All other situations..... \$200.00				\$	
23. <input type="checkbox"/> c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations..... \$500.00				\$	
TOTAL OF ABOVE CALCULATIONS =					
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
48- 100 =	0/50=		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	38- 20 =	18	x \$50.00	\$900	
Independent claims	8- 3 =	5	x \$200.00	\$1000	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$1900	
____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$1900	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.				\$	

10/19/2005 MKAYPAGH 00000106 10524340

01 FC:1615
02 FC:1614

900.00 OP
1000.00 OP

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESSSM
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

TOTAL FEES ENCLOSED =		\$1900
	Amount to be: refunded	\$
	Amount to be charged:	\$

 X a. Check No. 166726 in the amount of \$1900.00 to cover the above fees is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

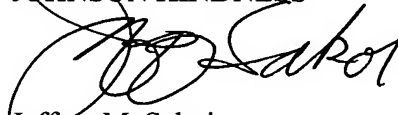
SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Jeffrey M. Sakoi
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

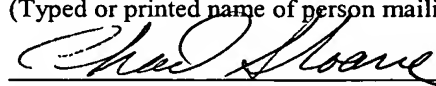


Jeffrey M. Sakoi
Registration No. 32,059
Direct Dial No. 206.695.1713

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 715 031 578 US
Date of Deposit: October 14, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Chad Sloane
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100



UNITED STATES PATENT AND TRADEMARK OFFICE

JEN

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/524,340	FIRST NAMED APPLICANT Takeo Yamaguchi	ATTY. DOCKET NO. NAII124342
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INTERNATIONAL APPLICATION NO. PCT/JP03/10399

LA. FILING DATE 08/18/2003	PRIORITY DATE 08/16/2002
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26389
 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
 1420 FIFTH AVENUE
 SUITE 2800
 SEATTLE, WA 98101-2347

CONFIRMATION NO. 6307

371 FORMALITIES LETTER

OC000000016763662

OC000000016763662

DOCKETED

Date Mailed: 08/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/11/2005
- Copy of the International Search Report filed on 02/11/2005
- Preliminary Amendments filed on 02/11/2005
- U.S. Basic National Fees filed on 02/11/2005
- Priority Documents filed on 02/11/2005

PROCESSED
 DOCKETING

CLH

AUG 18 2005

CHRISTENSEN, O'CONNOR
 JOHNSON KINDNESS PLLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,340	PCT/JP03/10399	NAII124342

FORM PCT/DO/EO/905 (371 Formalities Notice)